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MAR 13 1987

Thompson

CARPENTER, BENNETT & MORRISSEY

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VIA HAND DELIVERY

March 13, 1987

WRITER'S DIRECT DIAL NO. (201) 565-2014

Margaret Thompson, Esq.
Assistant Regional Counsel
UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY - REGION II
26 Federal Plaza
New York, New York 10278

Re: Duane Marine Salvage Site, Perth Amboy, New Jersey
Administrative Orders Nos. II-CERCLA-50102,
II-CERCLA-50105 and II-CERCLA-50107

Dear Ms. Thompson:

I have discussed the matters raised in your letter of 5 March, 1987 with our Designated Coordinator, Fred C. Hart Associates. I asked them to provide me with a written statement of their understanding of each of the matters raised as specific concerns in your letter. They replied by their letter of March 12, 1987. That letter recites discussions they have had with EPA personnel since your letter and summarizes the present state of the various matters you have raised. It recites that some of your concerns have already been addressed and the remaining ones are being promptly attended to.

I am attaching a copy of their letter which, to this point, I have only received in telecopied form. It sets forth our best understanding of the matters raised by your letter. I trust it will serve as the advice concerning further plans for on-site activity which you requested in the first paragraph of page 4 of your letter.

CARPENTER, BENNETT & MORRISSEY

Margaret Thompson, Esq.

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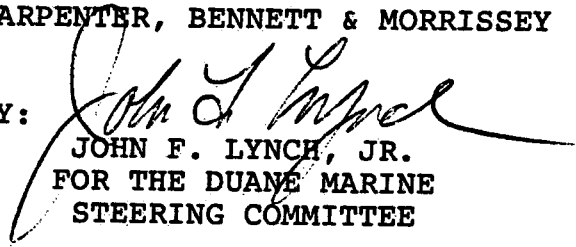
March 13, 1987

I hope it answers the questions implicit in your letter as well. In summary, we have attended to many of your concerns and we will continue to respond promptly so that this matter may be satisfactorily concluded in the near term.

Very truly yours,

CARPENTER, BENNETT & MORRISSEY

BY:


JOHN F. LYNCH, JR.
FOR THE DUANE MARINE
STEERING COMMITTEE

JFL/dms

Enc.

cc: Norman W. Bernstein, Esq. (w/enc.)
John A. McKinney, Jr., Esq. (w/enc.)



March 12, 1987

John F. Lynch, Jr., Esquire
Carpenter, Bennett & Morrissey
Gateway Three
100 Mulberry Street
Newark, New Jersey

Re: Duane Marine Site, Perth Amboy, New Jersey
Administrative Orders Nos. II-CERCLA-50102,, II-CERCLA-50105,
and II-CERCLA-50107

Dear Mr. Lynch:

This morning I met with US- EPA's On-Scene-Coordinator at the Duane Marine Site to conduct an inspection and to address the items of concern raised in Margaret Thompson's March 5, 1987 letter to you. I will outline our conclusions and plans for further on-site activity as they relate to the items specified in that letter. Both the EPA-OSC and I feel that the remaining site work can be quickly completed to satisfy the requirements of the Orders referenced above.

(1) Decontamination of on-site and off-site vessels and containers.

Based on his inspection of the site on February 26, 1987, the OSC identified five vessels and containers to be checked in order to determine if they need to be sandblasted. Three of these vessels had been staged in such a way that visual inspection of the insides could not be made during the site inspection. Review of field notes prepared by RECRA during the sampling phase of the project indicate that these tanks have been empty throughout the history of the project. The OSC agreed that no decontamination of these tanks would be required if this were the case. I will send a copy of the field notes to him, and will confirm through restaging and field inspection of the tanks during the proposed site work.

The other two tanks that were questioned were two large white hoppers. It is believed that these tanks did not contain hazardous material. Review of all field reports and laboratory analysis sheets is being conducted to confirm this.

The tanks that were sandblasted in the last round of site activity were identified by me as candidates for cleaning based on site inspection. It was proposed that my assessment be evaluated and confirmed by an EPA



representative prior to initiation of sandblasting activity. Due to my leave, communication broke down somewhat and this inspection was not conducted. However, based on the inspections made on February 26, 1987 and March 12, 1987, it appears that the EPA-OSC agrees with my initial assessment of tanks that required cleaning, with the five additional tanks noted above to be checked. Satisfactory documentation that these vessels did not contain hazardous material will satisfy the container and vessel decontamination issue.

(2) T-27 containment area. It was agreed during our inspection that the remaining soil within the diked area that was to be excavated per the August, 1986, Supplemental Work Plan approved by EPA will be removed during the proposed site work. This material could not be excavated during the February site work because of weather conditions. The agreement of the TAT representative that the material could not be removed at that time had been interpreted to mean that removal would not be required.

Standing water will be removed from within the diked area, and all of the material addressed in the Supplemental Work Plan will be excavated.

(3) Railroad bed. The southernmost fifty feet of the railroad bed referenced in the March 5, 1987 letter was, in fact, excavated. Backfill of the area made it appear that removal had not taken place. Some locations in this area will require additional removal of railroad bed material and surface debris that had been missed during previous site activity due to snow cover. The OSC requested that I supply him with a copy of the railroad sampling and laboratory analysis report. I will forward a copy of this material to him.

(4) Surface debris and contaminated soil. We agreed that one additional 20'x20' area of soil in the location of the staged tank trucks should be scraped to remove surface discoloration. This action will require excavation of material to a depth of less than one foot.

It is proposed that loose sediment deposits be removed from portions of the concrete pads. This will involve some manual shovel work.

(5) Site Security. Following our site inspection, I repaired the hole in the northeastern and northern portions of the fence. I also installed a new lock on the Washington Street gate. I will regularly follow up with the guard service to ensure the most professional level of service that they can provide.



I have discussed implementation of the work associated with the above tasks with representatives of CWM- ENRAC. They are prepared to return to the site to complete the work. I am meeting with their field supervisor at the site on Tuesday, March 17, to determine the equipment required to effectively complete the remaining excavation. He would like to begin the work on Thursday, March 19.

Sincerely,

A handwritten signature in cursive script that reads 'Robert Ehlers'.

Robert Ehlers
Project Engineer